

**To:** Wu, Jennifer[Wu.Jennifer@epa.gov]; Carlin, Jayne[Carlin.Jayne@epa.gov]  
**Cc:** Sweeney, Stephen[Sweeney.Stephen@epa.gov]; Gable, Kelly[Gable.Kelly@epa.gov]; Hall, Lynda[Hall.Lynda@epa.gov]  
**From:** Wayne, Don  
**Sent:** Thur 1/31/2013 6:00:55 PM  
**Subject:** Fw: OR CZARA Settlement Agreement Schedule Update - Heads up on letter from Dick P to Dennis re: response to CZARA/NOAA letter

Jenny,

See the advice for our lawyer below. Thanks.

Don Wayne  
U.S. Environmental Protection Agency  
Nonpoint Source Control Branch (OWOW/AWPD)

USPS Mailing Address:                      Office (FedEx/UPS delivery):  
Mail Code 4503T                              Room 7417H  
1200 Pennsylvania Ave, NW      1301 Constitution Ave, NW  
Washington, DC 20460                      Washington, DC 20004

Phone: (202) 566-1170                      Fax: (202) 566-1331  
Email: waye.don@epa.gov                      Website: epa.gov/nps

----- Forwarded by Don Wayne/DC/USEPA/US on 01/31/2013 12:59 PM -----

**From:** Stephen Sweeney/DC/USEPA/US  
**To:** Don Wayne/DC/USEPA/US@EPA  
**Cc:** Kelly Gable/R3/USEPA/US@EPA, Lynda Hall/DC/USEPA/US@EPA  
**Date:** 01/31/2013 12:48 PM  
**Subject:** Re: OR CZARA Settlement Agreement Schedule Update - Heads up on letter from Dick P to Dennis re: response to CZARA/NOAA letter

# Ex. 5 - Attorney Client

Stephen J. Sweeney  
sweeney.stephen@epa.gov  
202-564-5491  
202-564-5477 (fax)

From: Don Waye/DC/USEPA/US  
To: Lynda Hall/DC/USEPA/US@EPA, Stephen Sweeney/DC/USEPA/US@EPA, Kelly Gable/R3/USEPA/US@EPA  
Date: 01/31/2013 12:39 PM  
Subject: OR CZARA Settlement Agreement Schedule Update - Heads up on letter from Dick P to Dennis re: response to CZARA/NOAA letter

FYI.

"Dick P" is OR DEQ's Director, Dick Pederson.

"Dennis" is EPA Region 10 RA, Dennis McLerran

## Ex. 5 - Attorney Client

----- Forwarded by Don Waye/DC/USEPA/US on 01/31/2013 12:32 PM -----

From: Jayne Carlin/R10/USEPA/US  
To: allison.castellan@noaa.gov, Don Waye/DC/USEPA/US@EPA  
Date: 01/31/2013 12:03 PM  
Subject: Fw: Heads up on letter from Dick P to Dennis re: response to CZARA/NOAA letter

----- Forwarded by Jayne Carlin/R10/USEPA/US on 01/31/2013 09:03 AM -----

From: Jennifer Wu/R10/USEPA/US  
To: Dan Opalski/R10/USEPA/US@EPA, Christine Psyk/R10/USEPA/US@EPA,  
Cc: David Powers/R10/USEPA/US@EPA, Jayne Carlin/R10/USEPA/US@EPA, David Croxton/R10/USEPA/US@EPA  
Date: 01/29/2013 04:05 PM  
Subject: Heads up on letter from Dick P to Dennis re: response to CZARA/NOAA letter

Hi Dan and Christine,

Gene Foster asked that I give you both a heads up that Dick Pedersen will be sending a letter to Dennis responding to the December 2012 CZARA/NOAA letter in the next 1-2 weeks. He asked that you let Dennis know, if possible. The letter will say that ODEQ won't be able to submit the Mid-Coast TMDL by June 2013 as originally agreed to.

ODEQ will then send a second letter (~2 weeks after the first letter) with the expected timelines and schedule for when the Mid-Coast TMDL will be done. The 2nd letter will discuss the time needed to finish the technical analysis and the uncertainty of the OR temp WQS litigation and its effects on the timing to complete the Mid-Coast TMDL.

Thanks,  
Jenny Wu  
U.S. EPA Region 10  
Watershed Unit  
1200 6th Avenue, Suite 900 (OWW-134)  
Seattle, WA 98101  
206-553-6328 (phone)  
206-553-0165 (fax)

<http://www.epa.gov/r10earth/tmdl.htm>

